

**Amendment/Reply**

Applicant: Travis J. Parry et al.

Filed : 06/12/2001

Docket No.: 10011064-1

Title: Automatic Electronic Identification Self-Check

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**Remarks****Amendments to the Claims**

The claims have been amended, as indicated above. The amendment to the indicated claim has been presented in accordance with the proposed revisions to 37 C.F.R. §1.121 as set forth in 1267 OG 106 (25 February 2003). No new matter has been introduced through the amending of the claims.

**Rejection of Claims under 35 U.S.C § 103**

Claims 1-5, 9-14, and 18 are rejected under 35 U.S.C §103 (a) as being unpatentable over Dietl et al. in view of Outwater. The Applicants respectfully traverse this rejection. While Dietl et al. disclose a remotely-powered ink cartridge identification system for an inkjet printer, this reference does not teach, suggest or even appreciate, among other things, accepting/rejecting said cartridge by accepting said marking agent cartridge as being genuine if said first information of said identification means substantially matches said second information of said identification means; rejecting said marking agent cartridge as being counterfeit if said first information of said identification means does not substantially match said second information of said identification means; and notifying a producer/supplier of said marking agent cartridge if said marking agent cartridge is rejected as being counterfeit, as set forth in independent Claims 1 and 10 . In fact, Dietl et al. is silent with respect to forwarding first information regarding said identification means to a database and compiling said first information in said database

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and notifying a producer/supplier of said marking agent cartridge if said marking agent cartridge is rejected as being counterfeit, as admitted by the examiner.

While Outwater discloses a product authentication system, this reference does not alleviate the myriad problems associated with the Dietl et al. reference. For example, Outwater fails to teach, suggest or even appreciate, among other things, the notifying a producer/supplier of said marking agent cartridge if said marking agent cartridge is rejected as being counterfeit step, as presently claimed. Contrary to the examiner's contention, Outwater merely discusses that the "verification may be done entirely or partially at the remote from the spectral analyzer and may be performed at the site of the data base storage or another site. In this case, the spectral data and/or code data is transferred via modem to the remote site and the results of the comparison with the association table of the data base are transmitted to the field operator and indicated on the output or I/O unit." (See, for example Col. 9, lines 60-67.) Clearly, this is not analogous to the claimed step of notifying a producer/supplier of said marking agent cartridge if said marking agent cartridge is rejected as being counterfeit.

With respect to dependent claims 2-5 and 11-14 due to the fact that these claims are dependent upon independent claims 1 and 10, respectively, the Applicants contend that these dependent claims are also allowable over the art of record. Therefore, the Applicants request that the Examiner reconsider and withdraw the rejection.

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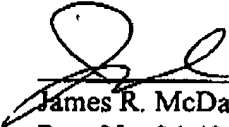
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In view of the above, it is respectfully submitted that this case is in condition for allowance and now may be passed to issue forth with. A holding to this effect is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this patent application, the Examiner is invited to contact the undersigned attorney during normal Pacific Time Zone business hours.

Respectfully submitted,  
Travis J. Parry et al.

Date: 7/1/05

  
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